

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CURTIS GUY,

Petitioner,

vs.

RENEE BAKER, *et al.*,

Respondents.

2:11-cv-1809-GMN-RJJ

ORDER

In this capital habeas corpus action, on June 8, 2012, the petitioner, Curtis Guy, filed, under seal, a motion for substitution of counsel (ECF No. 21). Subsequently, the court ordered Guy to file a supplemental declaration of counsel, under seal, providing a more detailed explanation of the need for the substitution of counsel (ECF No. 23).

On July 3, 2012, Guy's counsel filed supplemental briefing in support of the motion for substitution of counsel, under seal, as ordered (ECF No. 26).

The court has carefully considered the material filed under seal in this case on July 3, 2012 (ECF No. 26), and determines that, in the interests of justice, substitution of counsel is warranted. *See Martel v. Clair*, 132 S.Ct. 1276, 1284 (2012) (holding that an "interests of justice" standard is to be applied to motions for substitution of counsel in capital habeas cases). The motion for substitution of counsel will be granted, the Federal Public Defender for the District of Nevada will

1 be discharged from its representation of the petitioner, and the Federal Public Defender for the
2 Central District of California will be appointed to represent the petitioner.

3 The Federal Public Defender for the Central District of California will be directed to file a
4 notice of appearance of counsel in this action. After that notice is filed, the court will set a schedule
5 for further proceedings.

6 **IT IS THEREFORE ORDERED** that the motion for substitution of counsel (ECF No. 21)
7 is **GRANTED**.

8 **IT IS FURTHER ORDERED** that the Federal Public Defender for the District of Nevada is
9 discharged from the representation of the petitioner in this case.

10 **IT IS FURTHER ORDERED** that the Federal Public Defender for the Central District of
11 California is appointed to represent the petitioner in this case.

12 **IT IS FURTHER ORDERED** that the Federal Public Defender for the Central District of
13 California shall, within **30 days** after the date this order, file a Notice of Appearance of Counsel for
14 Petitioner, indicating their acceptance of this appointment, or other document indicating that they
15 cannot accept the appointment.

16 **IT IS FURTHER ORDERED** that the requirements of Local Rule IA 10-2 ("Admission to
17 Practice in a Particular Case") shall be waived in this case.

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IT IS FURTHER ORDERED that the Clerk of the Court shall **SERVE** a copy of this order on each of the following:

Curtis Guy
#33750
Ely State Prison
P.O. Box 1989
Ely, NV 89301

Federal Public Defender
Central District of California
321 E. 2nd Street
Los Angeles, CA90012

Dated this 10th day of July, 2012.

UNITED STATES DISTRICT JUDGE